

REMARKS

In light of the above amendments and following remarks, reconsideration and allowance of this application are respectfully requested.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 USC §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Claims 2-5, 7-15, 17-21, 23-26 and 28-30, and amended claims 1, 6, 16, 22 and 27 are in this application.

At paragraph 2 of the outstanding Final Office Action of March 26, 2003, the Examiner rejected claims 1-30 under 35 U.S.C. §102(e) as being clearly anticipated by Schein et al. (U.S. Patent No. 6,002,394). Applicant respectfully traverses the rejections.

Amended independent claim 1 now recites in part as follows:

“An information transmitting method for transmitting program guide information...comprising...commercial information which corresponds to said program guide information and which is automatically displayed for a single program column or a plurality of program columns in sequence on a program guide screen in a receiver...” (Underlining and bold added for emphasis.)

Applicant has amended independent claims 1, 6, 16, 22 and 27 to recite that the commercial information is automatically displayed in sequence on the program screen and

therefore no further action by the user is required. The examiner stated that the claim limitation did not address that advertisements are automatically displayed in sequence. It is respectfully submitted that now all independent claims recite this feature. Schein describes either having all information available on-line, or transmitting all of the information in a database up front. Schein does describe that "a scrolling commercial message 524 may be located underneath program matrix sponsors, etc. The viewer may navigate to message 524 to receive more information or to purchase the product or program" (Schein, col. 22, lines 13-18). However, there is no disclosure in the portions of Schein et al. relied upon by the Examiner of the automatic display of a sequence of advertisements in a single window when the cursor is placed over commercial information, therefore requiring no further action by a user. Applicant submits that Schein et al. fails to disclose this feature of amended independent claim 1.

For similar reasons, it is also believed that amended independent claims 6, 16, 22 and 27 are also distinguishable from Schein as applied by the Examiner. Furthermore, claims 2-5, 7-15, 17-21, 23-26 and 28-30 depend either directly or indirectly from one of amended independent claims 1, 6, 16, 22 and 27, and are therefore distinguishable for this reason alone, and additionally as presenting independently combinations in and of their own right

Applicant therefore respectfully requests that the rejection of claims 1-30 under 35 U.S.C. §102(e) be withdrawn.

It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the applicant's undersigned attorney and, in the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

Please charge any fees incurred by reason of this response to Deposit Account No.
50-0320.

Respectfully submitted,

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A handwritten signature in cursive ink, appearing to read "Gordon Kessler", is written over a horizontal line. The signature is fluid and has a distinct, flowing style.

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